
**Meeting of the Executive Members for
Housing and Adult Social Services and
Advisory Panel**

26th March 2007

Report of the Director of Housing and Adult Social Services

17 Almsford Road – Petition Update

Summary

1. This report provides the Executive Member with an update on the council's actions to date concerning the above property following the presentation of a petition to Full Council by Cllr D Horton, and the current course of action being followed.

Background

2. The above property is a semi-detached two bedroom bungalow. The Council (council tax) were advised in late 2001 by the owner that the property had been empty since 10th August 2000. In April of 2002 the property was empty, unfurnished and on the market for sale.
3. Records show that it was first brought to the attention of the Private Sector Housing team in 2003. At that time, the owners indicated that they intended to let the property.
4. The property, which was initially in reasonable condition, has been the subject of continuous and serious damage by vandals. On a number of occasions, information has been received that the property has become open to trespass, and where this has happened, the Council has enforced Section 29 of the Local Government (Miscellaneous Provisions) Act 1982 to ensure that the building made secure.
5. After a long history of representations (see below for chronology of events) by the Council, during which we have discussed with the owner all the options open to him, he has stated that he wishes to take advantage of the Empty Homes Grant to bring the bungalow back into use and lease it to York Housing Association for five years, (a requirement of the scheme).

Chronology of Events

Date	Comment
7 th March 2003	Complaint from neighbour that property is open to

	trespass. Visit to confirm above and attempts made to trace ownership.
17 th March 2003	Section 29 served on owners to secure property.
19 th March 2003	Above notice complied with.
30 th April 2003	Re-visit in response to complaints of rubbish and vermin
2 nd May 2003	Owners approached in writing regarding complaints.
28 th May 2003	Further complaints regarding property, no response from owners, no evidence of vermin confirmed.
18 th July 2003	Complaint that vandals had broken in to property and were removed by police. Now open to trespass. Contacted owners who stated he would secure property the following day.
21 st July 2003	No action taken by owners
23 rd July 2003	No action taken by owners. Section 29 served on owners and further contact by phone. He agreed to secure and to meet to discuss options for future use.
29 th July 2003	Notice complied with
6 th August 2003	Contact made with complainant to ascertain situation
5 th Jan 2004	Property undergoing extensive renovation, UPVC windows fitted etc. This appears to be following a fire in the bungalow.
22 nd Jan 2004	Further damage by vandals who have smashed new windows but not open to entry.
11 th March 2004	Letter to owners informing of continued vandalism and requesting if it is his intention to continue improvements
21 st May 2004	Section 29 served; property open to trespass.
1 st June 2004	Contact with owners re above and lights left on in bungalow.
8 th June 2004	Section 29 works carried out in default.
22 nd Nov 2004	Letter to owners regarding future use and advice re. Empty Homes Grant.
29 th June 2005	Contact from local councillor regarding attempts to get property reoccupied.
4 th July 2005	Property vandalised again; section 29 and letter re Empty Homes Grant sent to owners.
25 th July 2005	Quote obtained from contractor despite owners stating he will take action.
5 th August 2005	No action from owners despite representations; works carried out in default.
6 th April 2006	Further complaints re property; visit paid to confirm that severe damage had been caused by a gang who had forced entry, demolished internal walls and moved all fittings etc. Concern re. Safety of building; Building Control informed. Letter to owners re incident advising property must be secured, and advising of increase to Empty Property Grant sum. Matter was reported to police at time by neighbour. Police did not respond. Property secured by Building Control under dangerous buildings legislation.

24 th April 2006	Letter to owners requesting meeting re Empty Homes Grant.
28 th April 2006	Meeting with owners re Grant. He agreed to go ahead with application.
2 nd May 2006	Inspection of property to compile schedule of works to bring property up to 'Decency Standard'
5 th May 2006	Visit to owners to discuss application
12 th May 2006	Visit to York Housing Association to obtain their consent to manage property.
19 th May 2006	Visit with York Housing surveyor to confirm above
22 nd May 2006	Application forms etc sent to owners.
28 th July 2006	Visit to owners who is having problems getting contractors
31 st July 2006	Letters to contractors on owner's behalf
8 th August 2006	Contract refused by two builders.
1 st Sept 2006	Contact with owners re grant application.
18 th Sept 2006	Estimate from contractor submitted to owners
16 th Oct 2006	Visit paid with contractor to prepare estimate
20 th Oct 2006	Visit paid with contractor to prepare estimate
20 th Nov 2006	Estimate from contractor submitted to owners
1 st Dec 2006	Visit to owners to discuss application; prices excessive, owners to try more contractors.
2 nd Jan 2007	Visit; decayed tree blown over into 19 Almsford Road Owners advises tree is owned by York Council. Street Environment informed.
5 th Jan 2007	E-mail to arboricultural officer
8 th Jan 2007	Some dispute to ownership of tree
10 th Jan 2007	Further representations to owners who is adamant tree is not his. Further damage to property; Section 29 served Meeting with owners to discuss grant application Still financial problems with quotes. Owners to submit quote to include him doing some works
11 th Jan 2007	Contractor met on site re boarding up Street Environment advise above is not their remit, this department to carry on investigation
12 th Jan 2007	Contractor met on site re grant works
16 th Jan 2007	Search by Council revealed responsibility for the tree is the Council's
22 nd Jan 2007	Works carried out in default.
2 nd Feb 2007	Further estimate from contractor submitted to owners.
22 nd Feb 2007	Letter to owners requesting decision re application for grant.
26 th Feb 2007	Boards removed by vandals; Section 29 served. Owners advised Contractor requested to carry out works in default
1 st March 2007	Section 29 works carried out in default.
2 nd March 2007	Contact from owners to confirm that they intend to submit application for Empty Homes Grant by 17 th March 2007.

Empty Homes Policy

6. In December 2004, EMAP approved the council's current empty homes policy. The policy aims to improve empty homes and bring them back into use via a number of different yet complementary courses of action:
 - Free advice and assistance including advice on how to get any necessary repairs, safety or modernisation works completed;
 - The availability of grant funding and leasing schemes with local housing associations;
 - Forums for discussion of particular issues or concerns through the York Residential Landlord Association (for private landlords) and the York Housing Liaison Group (for housing associations);
 - The availability (from 2003/04) of grants to be used for the repair and modernisation of properties owned by private landlords. Grants are channelled through housing associations that lease the homes for a minimum of ten years (reduced to 5 year from April 2006) with the council nominating homeless families to them;
 - Enforcement powers to bring properties back to a reasonable condition (although this doesn't necessarily mean bringing them back into use);
 - Decent Home Grants which are aimed primarily at Houses in Multiple Occupation to bring them up to the Decent Home Standard. This can include an empty flat, for example, within a larger house of multiple occupation (HMO);
 - In 2004/05 information on empty homes, including an online enquiry form was added to the council website;
 - From April 2004, for example, the council tax discount on empty and 2nd homes was reduced from 50% to 10%.
 - The rent bond guarantee scheme give confidence to private landlords that rents will be paid if they do let their property.

Empty Homes Grant

7. The Empty Homes grant was introduced in 2003 to enable private owners to access grant funding to improve their property in exchange for the council, via a Housing Association, securing the use of the property for a period of 10 years for affordable rent.
8. Given the rise in property values within York, uptake of the grant was not as high as was originally hoped. During 2005/6, six enquires regarding the empty grant were received but none proceeded to full approval. Consultation with the owners of the property and with our partner, York Housing Association, who take on the role of leaseholder, indicated that the main

reason for the lack of uptake is the length of the lease. The current climate of increasing house prices and private rents means that many owners don't wish to tie up their properties in ten year leases.

9. In February 2006, EMAP approved a revised policy, increasing the grant limit from £10k to £20k, to provide a more realistic grant which will cover the cost of the work to reach the decency standard and to reduce the length of lease from 10 years to 5 years.

Options

10. This report is information only.

Analysis

11. Significant work has taken place to try and ensure that this property is brought back into use. Following the most recent contact the owners confirmed on the 2nd March 2007 that they wish to apply for an Empty Homes Grant and that they will submit their application by 17th March 2007. Once approved the applicant has 12 months in which to claim the grant, however we will be working with the owners to ensure that work is carried out as soon as possible.

Corporate Priorities

12. Bringing empty properties back into use supports the councils improvement priority to "Improve the quality and availability of decent, affordable homes in the city".

Implications

13. Implications arising from this report are:
 - **Financial** - There are no financial implications.
 - **Human Resources (HR)** - There are no HR implications
 - **Equalities** - There are no equalities implications
 - **Legal** - There are no legal implications
 - **Crime and Disorder** – There are no Crime & Disorder implication
 - **Information Technology (IT)** - There are no IT implications
 - **Property** - There are no Property Implications
 - **Other** - No other known implications

Risk Management

14. There are no risks associated directly with this report.

Recommendations

15. That the Executive Member:

- Notes the contents of this report and the action taken to date.

Reason: To inform the Executive Member.

Contact Details

Author:
Steve Waddington
Head of Housing Services

Chief Officer Responsible for the report:
Steve Waddington
Head of Housing Services

**Report
Approved**



Date 4th March 07

Specialist Implications Officer(s) None

Wards Affected: Acomb

All

For further information please contact the author of the report

Background Papers: None

Annexes: None